

PLEASE NOTE: This hearing schedule is subject to frequent revision, so please check our web site to confirm hearing dates. Assignment of hearing examiner is also subject to change. When Montgomery County Public Schools are closed due to the weather, please call OZAH at 240-777-6660 to confirm that scheduled hearings will be held.

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
MONTGOMERY COUNTY, MARYLAND
HEARING SCHEDULE**

April 1, 2005

Carrier	<u>Monday, April 4, 2005</u> S-2631—(continued) (OZAH 05-22) S-2070-A (Johnson's nursery) (OZAH 05-24) <i>(Postponed to June 27, 2005)</i>	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
Grossman	<u>Friday, April 8, 2005</u> G-809 (Maria Burley) <i>(Postponed from 2/25/05)</i> S-2506-A (modif. landscape contr) (OZAH 05-08) <i>(Postponed to 5/24/05)</i> S-2633-(aecs apt) <i>(Withdrawn 2/7/05)</i>	9:30 a.m.	Potomac Sub region	(2 nd Fl HR, COB)
Tierney	<u>Monday, April 11, 2005</u> G-830 (White Flint Crossing) <i>(Postponed to May 17/18, 2005)</i> <u>Friday, April 15, 2005</u> S-2634 (home occp-law office) (OZAH 05-25) <i>(Will be postponed)</i> S-2625 (Private club) (OZAH 05-14) <i>(Postponed to July 15, 2005)</i> <u>Monday, April 18, 2005</u> G-832 (Duffie Inc, Clarksburg) <i>(Postponed to July 11, 2005)</i>			
Grossman	<u>Friday, April 22, 2005</u> CBA-2198-A (Camina non-res med) (OZAH 05-25)	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
Grossman	<u>Monday, April 25, 2005</u> S 1703-A (landscape contractor) (OZAH 05-26)	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)

Grossman	<u>Thursday, April 28, 2005</u> HRC E-03072 (<i>Torbenko v Beth D</i>) (OZAH 05-10) <i>(Postponed to July 18/19/21, 2005)</i>			
Carrier	<u>Friday, April 29, 2005</u> G-834 (Porten Companies) <i>(Postponed to June 6/7, 2005)</i>			
	HRC E-03072 (<i>Torbenko v Beth D</i>) (OZAH 05-10) <i>(Postponed to July 18/19/21, 2005)</i>			
Grossman	<u>Monday, May 2, 2005</u> HRC E-03072 (<i>Torbenko v Beth D</i>) (OZAH 05-10) <i>(Postponed to July 18/19/21, 2005)</i>			
Grossman	<u>Friday, May 6, 2005</u> S-2635 (Elder housing) (OZAH 05-29)	9:30 a.m.	BOA Case	(2 nd FI HR, COB)
	<u>Monday, May 9, 2005</u> SE 05-02 – (<i>General Day Care</i>)	9:30 a.m.		(2 nd FI HR, COB)
Grossman	<u>Friday, May 13, 2005</u> S-2636 (Falls Creek LLC) (OZAH 05-27)	9:30 a.m.	BOA Case	(2 nd FI HR, COB)
	<u>Monday, May 16, 2005</u> S-2637 (Sr. Housing) (OZAH 05-28) <i>(Will be postponed)</i>			
Grossman	<u>Tuesday, May 17, 2005</u> S-2604 – (<i>Mary Rhim/Winchester Sc</i>) (OZAH 04-44) <i>(Postponed from 6/4 & 9/8/04, 3/11/05)</i>	9:30 a.m.	BOA Case	(2 nd FI HR, COB)
Tierney	G-830 (White Flint Crossing) <i>(Postponed from April 11, 2005)</i>	9:30 a.m.	White Flint sub region	(3 rd FL CHR, COB)
Tierney	<u>Wednesday, May 18, 2005</u> G-830 (White Flint Crossing) <i>(Postponed from April 11, 2005)</i>	9:30 a.m.	White Flint sub region	(3 rd FL CHR, COB)
	<u>Friday, May 20, 2005</u> S-2593 – (<i>Danette Sloan</i>) (OZAH 04-19) <i>(Postponed from 3/2/04)</i>	9:30 a.m.	BOA Case	(2 nd FI HR, COB)
	<u>Monday, May 23, 2005</u> G-823 <i>(Postponed from 3/14/04)</i>	9:30 a.m.	Bethesda	(2 nd FI HR, COB)

Prager	<u>Tuesday, May 24, 2005</u> S-2506-A (landscape contr) <i>(Postponed from 4/8&2/11/05,12/10/04)</i>	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
	<u>Friday, May 27, 2005</u> S-2638 (ballet school) (OZAH 05-32)	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
	<u>Monday, May 30, 2005</u> <i>Holiday</i>			
	<u>Tuesday, May 31, 2005</u> S-2632—cont (acc apt) (OZAH 05-23)	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
	<u>Friday, June 3, 2005</u> G-829- (Jae H. Koe) <i>(Postponed from Feb 28, 2005)</i>	9:30 a.m.	Potomac Sub region	(2 nd Fl HR, COB)
	<u>Monday, June 6, 2005</u> CBA-1495-A (Old Farm Swim Club) (OZAH 05-17) <i>(Postponed from 2/14/05)</i>	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
	<u>Monday, June 6, 2005</u> <u>Tuesday, June 7, 2005</u> G-834 (Porten Companies) <i>(Postponed from April 29, 2005)</i>			
	<u>Friday, June 10, 2005</u> S-2639 (TC antennae on bldg) (OZAH 05-33)	9:30 a.m.	BOA Case	(2 nd Fl HR, COB)
	<u>Monday, June 13, 2005</u> S-2628- (Group home) (OZAH 05-19) <i>(Postponed from 3/7/05)</i>	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Tuesday, June 14, 2005</u> S-2629 (non-res prof) (OZAH 05-20) <i>(Postponed from 4/18/05)</i>	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Friday, June 17, 2005</u> G-833 (Germantown Station) <i>(Postponed from 3/28/05)</i>	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Monday, June 20, 2005</u> S-882-A (retail nursery) (OZAH 05-31)	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Friday, June 24, 2005</u> S-820-A (landscape contr)	9:30 a.m.	BOA	(2 nd Fl HR, COB)

	<u>Monday, June 27, 2005</u> S-2070-A (retail nursery) (OZAH 05-24)	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Friday, July 1, 2005</u> G-836 (J Kirby Develop)	9:30 a.m.		(2 nd Fl, HR, COB)
	<u>Monday, July 4, 2005</u> <i>Holiday</i>			
	<u>Friday, July 8, 2005</u> CBA-943-A (landscape contr) (OZAH 05-XX)	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Monday, July 11, 2005</u> G-832 (Duffie Inc.) <i>(Postponed from 3/14 & 4/18/05)</i>	9:30 a.m.	Clarksburg	(2 nd Fl HR, COB)
	<u>Friday, July 15, 2005</u> S-2625 (private club) <i>(Postponed from 1/28 & 4/15/05)</i>	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>Monday, July 18, 2005</u> S-2640 (Wondimu acc apart) (OZAH 05-XX)	9:30 a.m.	BOA	(2 nd Fl HR, COB)
Grossman	HRC E 03072 (Torbenko v Beth D (OZAH 05-10) <i>(Postponed from April 28, 2005)</i>	9:30 a.m.	HRC	
Grossman	<u>Tuesday, July 19, 2005</u> HRC E 03072 (Torbenko v Beth D (OZAH 05-10) <i>(Postponed from April 29, 2005)</i>	9:30 a.m.	HRC	(2 nd Fl HR, COB)
Grossman	<u>Thursday, July 21, 2005</u> HRC E 03072 (Torbenko v Beth D (OZAH 05-10) <i>(Postponed from May 2, 2005)</i>	9:30 a.m.	HRC	(2 nd Fl HR, COB)
	<u>Friday, July 22, 2005</u> CBA-143-A (off-street parking) S-2641 (off-street parking)	9:30 a.m.	BOA	(2 nd FL HR, COB)
	<u>Friday, July 29, 2005</u> S-1904-A (vet hosp) (OZAH 05-XX)	9:30 a.m.	BOA	(2 nd Fl HR, COB)
	<u>August 5, 2005</u> S-2634 (home occp) (OZAH 05-25) <i>(Postponed from 4/15/05)</i>	9:30 a.m.	BOA	(2 nd Fl HR, COB)

Postponed Indefinitely from 2/11/05
S-2609 – (*Pumphrey Funeral Home*)
(OZAH 04-45)

Postponed Indefinitely from 9/20/04
S-2614 – (*Holly Eaton*)
(OZAH 04-53)

Postponed Indefinitely from 11/1/04
S-2617 – (*Emeli gp home*)
(OZAH 04-55)

Postponed Indefinitely from 12/17/0
S-2622 (*Terrabrook child day care fac*)
(OZAH 05-07)

Postponed Indefinitely from 11/19/0
G-820 – (*Normandy Farms Joint Vent*)

Potomac
Sub region

(Postponed indefinitely from 12/3/04
G-825 – (*Fall Creek LLC*)

Laytonsville

(Postponed indefinitely from 8/30/04
DPA 03-3 (*Lillianne Tran Nguyen*)

**Deferred Indefinitely pending
Court decision**

BOA S-2351A, A-5784, A-5794,
A-5832, A-5886
(OZAH 03-58)

Guide to locations:

- 2nd Fl HR, COB = Davidson Memorial Hearing Room adjacent to OZAH office, Room 200, Council Office Building, 100 Maryland Ave., Rockville
- 3rd Fl CHR, COB = 3rd floor Council Hearing Room, Council Office Building, 100 Maryland Ave., Rockville
- 3rd Fl CCR, COB = 3rd floor Council Conference Room adjacent to 3rd floor Council Hearing Room, Council Office Building, 100 Maryland Ave, Rockville
- 7th Fl CHR, COB = 7th floor Council Hearing Room, Council Office Building, 100 Maryland Ave., Rockville

Case No.	Description	Requested From	Zoning To
G-809 (Filed: 5/9/03)	Jody S. Kline, Attorney for Maria Ruth Burley, Applicant. Property known as Parcels 361 and 417, located at 10401 and 10525 Seven Locks Road, Potomac, consisting of 5.23621 acres in the 10 th Election District.	R-90	RT-8 (Opt)
G-820 (Filed: 02/09/04)	Jody S. Kline, Attorney for Normandy Farms Joint Venture, Applicant. Property known as Normandy Farms Inn, Parcel P180, Liber 5826, Folio 063, Tax Map FP343; located at 10710 Falls Road, Glen Falls Subdivision, Potomac, consisting of 6.53421 acres, in the 10 th Election District.	RE-2/TDR	Country Inn
G-823: (Filed: 4/14/04)	Stephen J. Orens, Kinley R. Dumas, and Rebecca D. Willens, Attorneys for Arnold Fainman d/b/a Tommy Scott, Inc., Contract Lessee. Property known as Lot 28, Block 2, Huntington Terrace Subdivision, located at 8804 Old Georgetown Road, Bethesda, consisting of 13,371 square feet in the 7 th Election District.	R-60	C-1
G-825 (Filed: 06/22/04)	C. Robert Dalrymple and Anne C. Martin, Attorneys for Fall Creek LLC, an affiliate of Ruppert Nurseries, Applicant. Property Parcel P820, Pt. Abels Level, located at 23601 Laytonsville Road (MD Route 108), south of Hawkins Creamery Road, Laytonsville, Maryland, consisting of 2.5 acres in the 1 st Election District.	Country Inn	RDT
G-829 (Filed: 9/13/04)	David Freishtat, Attorney for Jae Koh, Applicant. Property known as Lots 12 and 13, Block B, Bealemont Partnership Subdivision, located at 12201-12219 River Road, Potomac, consisting of 5.61 acres in the 6 th Election District	RE-2	Country Inn
G-830 (Filed: 10/27/04)	Steven Robins, Attorney for White Flint Crossing, Applicant. Property known as Lot 4, Higgins Estate Subdivision, located at 11401 Rockville Pike, North Bethesda, consisting of 5.41 acres in the 4 th Election District 369 multi-family units, retail, parking	C-2	TS-M
G-832 (Filed: 11/8/04) 79 TH 176 apts.	Stephen J Orens, Attorney for Duffie, Inc., Applicant. Property known as Lots 27 and 28, Garnkirk Farms Subdivision, located 400 feet northeast of Gateway Center Drive on north side of Shawnee Lane in Clarksburg, consisting of 37.176 acres in the 2 nd Election District	R-200	PD-11
G-833 (Filed: 11/11/04) 27 TH	Jody S. Kline, Attorney for Germantown Station, LLC, Applicant. Property known as Pt Parcel 807 and 703, Tax Map EU 342, located at Lullaby Road and Father Hurley Blvd in Germantown, consisting of 4.5668 acres in the 2 nd Election District	I-3	RT-8
G-834 (Filed: 1/6/05)	Yum Yu Cheng, Attorney for Porten Companies, Inc. Applicant. Property known as P-426, located at 12024 Darnestown Road, Gaithersburg, MD consisting of 5.288 acres in the 6 th Election District	R-200	RT-8
G-836 (Filed: 3/3/05) 14 SFH, 102 Multi-family Senior Housing	Barbara Sears and Scott Wallace, Attorneys for J Kirby Development and Vedanta Center of Greater Washington DC, Applicant. Property known as Part of Lots 3, 4, and 5, located in the northeast quadrant of Bel Pre and Homecrest Roads in Silver Spring, consisting of 16.013 acres in the 13 th Election District	RE-2	PD-7

SE-05-2 Margretta General, Petitioner, requests a special exception for a child day facility for up to thirty children on property known as Lot 3, Block A, Sycamore Acres, located at 4419 Muncaster Mill Road, Rockville 10/22/04) Childcare

DPA 03-3 Stanley D. Abrams, Attorney for Lilianne Tran Nguyen, Petitioner, requests amendment to the schematic development plan approved in Local Map Amendment G-540, which approved the site for re-use, remodeling or reconstruction of two existing single family detached residential structures. The amendment requests to expand the SDP coverage to include Lot 22 (15,024 square feet) and revise SDP to delete the requirement for retention of existing structures and limitation of use from general office to retail use authorized in the C-T Zone, on property located in the northeast quadrant of University Boulevard West and Valleyview Avenue opposite the Westfield Shoppingtown Center, known as Part of Lot 7, Block H, (9,107 square feet) located at 11107 Valleyview Avenue; and Lot 23, Block H, Kensington View Subdivision, (15,000 square feet) located at 2907 University Boulevard West, Wheaton, consisting of 24,107 square feet in the 13th Election District

OHR E-03072 Office of Human Rights Referral: **Elena Torbenko v Bethesda Dance Studio, Inc.**

OZAH 05-10 Appeal of No Reasonable Grounds-Reduction in the allocation of students, teaching hours, and salary.

CBA 1495-A Board of Appeals Case: Old Farm Swim Club, Inc, Petitioner, requests modification of the special exception to permit: 1) two relocated paddle tennis courts, along with twelve, 25-foot high attached light poles which were moved to the south central portion of the property, 2) half basketball court with one pose and hoop and a sand volleyball court with a net and two end posts, 3) three freestanding light poles at the courts with high-pressure sodium lights, 4) a plywood storage shed measuring six feet high X six feet wide X seven feet deep was placed on the north end of the existing bathhouse, 5) the existing landscaping plan which satisfies the objectives of the conditions approved by the Board in 1971, 6) the four outdoor speakers installed on the bathhouse building facing the pool, 7) the existing 63 onsite parking spaces; the club has entered into an arrangement with the neighboring church for the use of its parking facilities. The subject property is Parcel A, 6900 Montrose Road, Old Farm Subdivision, Rockville, Maryland 20852, in the R-90 Zone.

CBA 2198-A Board of Appeals Case: Wilhelmina G Camina, Petitioner, requests modification of the special exception pursuant to Section 59-G-2.36 (Medical practitioners' office for use of other than a resident of the building) of the Zoning Ordinance for permission: **1) To Increase the number of parking spaces provided in the parking lot from four to five, by adding one handicapped accessible space, 2) To revise the hours of operation from 8:30 am to 12:30 pm, and 4 pm to 8 pm, and to include the hours between 12:30 pm and 4 pm; Monday through Saturday; 3) To allow a substitute physician to practice on the premises. No more than one physician would practice on the subject property at any one time; 4) To retain the original fixtures and replace the existing fixture on the chimney with a fixture that will direct more light to the parking area; 5) To install a light fixture at the entrance, waiting room and on the east side of the house designed to prevent glare to the surrounding properties and roadways and operate on a daylight sensor/timer until 8 pm and a motion sensor after 8 pm.; 6) To use the additional structures constructed after the special exception was granted: (a) a waiting room to the rear of the house, (b) a deck, (c) a fence and (d) two sheds. The subject property is known as Lots 1 and 2, Block T1 in Aspen Hill Park, located at 4912 Adrian Street, Rockville, in the R-60 Zone.**

S-882-A Board of Appeals Case: Susan W Carter, Attorney for Rene Monserrate and Emilio Brouwer, Applicants, seeks a modification of the special exception pursuant to Section 59-G-2.30 (Horticultural Nursery and Commercial Greenhouse) of the Zoning Ordinance to permit: **1) Hours of operation and up to seven employees during Spring, April 1 to May 31, from 8 am until 8 pm every day; Summer, June 1 to September 30, from 9 am until 7 pm every day; Fall, October 1 to December 1, from 9 am until 6 pm every day; Winter, January 1 to February 29, Saturday and**

Sunday only from 11 am until 5 pm; pre-season Spring, March 1 to March 31, from 9 am to 6 pm, every day; **2)** one parking lot to the rear of the site for loading and for the employees, the second gravel parking area for the customers; **3)** new structures: (a) metal frame greenhouse with plastic covering, (b) a wood barn used for sales of fertilizer, pottery and equipment; (c) two wood storage sheds; (d) gazebo entrance monument; **4)** (a) an eight foot by eight foot combination wood and moveable letter sign at the entrance on Clopper Road; (b) stringed lights on the two light poles located on the site during Christmas and Spring; **5)** an open area for storage of mulch and top soil sold in bulk; **6)** a single row of evergreens to adequately screen the area on Clopper Road; **7)** Three large storage areas: one along the western property line, one in the rear, northwestern corner of the property and one adjacent to Old Mateny road; **8)** a 15' x 5.5' propane tank currently located adjacent to the gravel parking area, used to fuel a small heater which heats the greenhouse in the winter. The subject property is Parcel 495, 13101 Clopper Road, Germantown, Maryland, 20874, in the R-200 Zone

S-1703-A Board of Appeals Case: John Poulos, Petitioner, requests modification of the special exception
OZAH 05-26 pursuant to to Section 59-G-2.30 (Landscape Contractor) of the Zoning Ordinance to permit: **1)** The use of two mobile construction trailers until Building III structure completed; **2)** The movement of fuel storage from south side of Building I; **3)** An 8 feet by 10 feet shed. One small storage tank; **4)** Reposition of storage bins at the rear of the property; **5)** The awning to be located on the north side of the Building I; **6)** Additional parking; **7)** Construction of soil berm and fence; **8)** Trash receptacle; **9)** Parking of personal items on the property. A storage trailer for non business items; one family camper and one boat; **10)** Change in the hours of operation from 7:30 am to 4 pm, to 7 am to 5 pm Monday through Friday. **11)** Sixty employees on site; **12)** Switching of van pooling of employees to Batson Road, to car pooling among employees; **13)** Change in the 19 various size trucks to be parked on the property, to 19 trucks with a weight capacity under 24,000 lbs. The subject property is in Lot 6, Block A, Kellbrodean Estates Subdivision, located at 16121 Batson Road, Spencerville, Maryland, 20868, in the RC Zone.

S-2070-A Board of Appeals Case: Harry Lerch, Attorney for Johnson Family Properties, LLC, requests
OZAH 05-24 modification of the special exception to permit: 1) Sell plants, landscaping and floral materials, and garden supplies; 2) Irrigate on-site plant materials; 3) Store fertilizers, pesticides herbicides for retail sales only; 4) Conduct retail and wholesale operations on-site; 5) Hours of operation 7 am to 8 pm, Monday through Friday; 8 am to 8 pm on Saturday; and 8 am to 7pm on Sunday; 6) Employ 64 full time employees, with no more than 70 employees on the property at any one time; 7) Remove the structure constructed in 2002; 8) Construct six new greenhouse buildings (all connected), one office building, one storage building, and an outdoor retail sales area; 9) Relocate the existing mature Spruces and Cedars trees on the property to the northern and western property lines; 10) Install 286 parking spaces 11) Use nine business vehicles and equipment at the site. The subject property is Parcel E, Block B, 12311 Darnestown Road, Gaithersburg, MD 20878 in the R-200 zone.

BOA S-2351A: Case from Board of Appeals: Stanley D. Abrams, Attorney for Mid-Atlantic Petroleum
A-5787, A-5794, Properties, LLC, requests modification to existing special exception to permit operation of
A-5832, A-5886 automobile filling station, convenience store and accessory carwash; re-approve 8 parking
OZAH 03-58 spaces at Middlebrook Road; provide existing ATM machine w/small canopy along front wall of convenience store; provide existing stone patio & fountain to right of building & exit door from building; install a stormwater system underground & replaced with 36 parking spaces; delete 3 parking spaces in front of convenience store; modify interior floor plan to reflect as built conditions; submit revised as built lighting & landscape plans. Property is Parcel E, Germantown Industrial Center Subdivision, located at 12301 Middlebrook Rd, Germantown in I-1 Zone. Petitioners: Mid Atlantic Petroleum Properties, LLC(S-2351-A); A-5794, appeal of Carlos Horcasitas, appeal of stop work order. Norman G. Knopf, Attorney for Brooke Venture, LLC, requests appeals: A-5787,

appeal of issuance of building permit; A-5832, appeal of lifting of stop work order; A-5886, appeal of decision not to issue stop work order and not to revoke building permit

BOA S-2506-A Board of Appeals Case: Martin J. Hutt, Attorney for East Coast Landscape, Inc (Mark & Suzanne Simpson), Petitioners, requests a modification to an existing special exception for a landscape contractor business on property known as Lot P075, Spencerville Knolls Subdivision, located at 2000 Spencerville Road, Spencerville, in the RC-1 Zone.

BOA S-2593 Board of Appeals Case: Roger K. Bain, Attorney for Danette D. Sloan, Petitioner, requests
OZAH 04-19 a special exception to permit the operation of a major home occupation (a beauty salon) on property known as Lot 1, Block 4, Foxhall Subdivision, located at 13124 Foxhall Drive, Silver Spring, Maryland 20906, in the R-90 Zone

BOA S-2604 Board of Appeals Case: Jody S. Kline, Attorney for Mary Rhim/The Winchester School,
OZAH 04-44 Petitioner, requests a special exception to permit (1) Existing residence to be converted to educational use, and construction of 12,000 sq. ft, one-story extension to rear of existing structure; (2) existing residential entrance and driveway to be widened for two-way vehicular movement which provides access to twenty-six space parking area located behind school building. Four visitor spaces would also be provided along drive near front of school; (3) Category II easement for this area, so that mulched outdoor play area can be located amidst tree stand; (4) portion of northern, western, and southern sides of property to be encircled by a six-ft, board fence and landscaping; (5) (a) Multiple outdoor play areas to be located on site, providing combination of in-the-ground play equipment with wood chip ground cover, and asphalt areas for activities and games requiring hard surface. Maximum of 30 children to be outside at any one time during regular school hours (8:15 AM–3:00 PM), except at lunchtime (12:20–12:45), when approximately 45 to 50 students to be outside at any one time. During after-school session, children to be rotated between outdoor activities and indoor play options in order to ensure that this limitation is achieved. From 5:15 to 6:00 PM, all after-school children are cleaning up their classrooms and preparing to leave school. (b) An indoor student game room with board games; (6) After school program – 3:00 PM to 6:00 PM, students to participate in a variety of supervised indoor and outdoor activities. Maximum of 50 children to be outside at any one time. Until normal discharge time, there will be 180 children on campus. Approximately 25% of students will depart between end-of-school and 5:15 PM with the remaining children departing by 6:00 PM. Approximately 120 students to arrive and depart in three buses in order to reduce traffic volume; (7) Summer Program – for up to school's base enrollment of 180 children; to be provided with a combination of recreational and academic programs. Children will periodically be bused from the school for swimming and other of-site activities, but will remain on campus for academic portion of program; (8) Hours of Operation – school to be open for student arrival at 7:00 AM, and final departure at 6:00 PM, with classes for all six grades beginning at 8:15 AM and ending at 3:00 PM. The summer program to maintain same hours. Occasional evening meetings, such as Back to School Night, will also take place at school. On-site evening activities would be limited to the number of participants that can be accommodated by available on-site parking; (9) Student enrollment - An elementary school program at this site for a maximum of 180 children grades 1 through 6. Each grade level will have 30 pupils divided into two sections of 15 children each; (10) Staff – a Director, an Assistant Director, a secretary, and 12 teachers. All 15 staff members will arrive at 7:00 AM and depart at 3:00 PM. In addition, there will be 12 after-school staff members who will arrive at 3:00 PM and depart at 6:00 PM. Periodically, educational specialists will visit school to conduct classes in specialized programs, but these visits will be outside of peak hours of traffic; (11) Transportation – All pupils to arrive between 7:00 AM and 8:00 AM. Approximately 25% of students will be picked up by 5:00 PM. Remaining children will depart between 5:00 PM and 6:00 PM. Approximately 120 children will be transported by buses. The subject property is Lots 171, 172 and 173, located at 17320 Georgia Avenue, Silver Spring, Maryland, 20832; in the R-200 Zone.

- BOA S-2609 Board of Appeals Case: Jody S. Kline, Attorney for Robert A. Pumphrey Funeral Homes, Inc.,
OZAH 04-45 Petitioners, requests a special exception to permit the operation of a funeral home on property known as Part of Parcel 183, Tax Map EU63 and Lots 48-57, Mary J. Boland Subdivision, located at 20620 Frederick Road, Germantown, Maryland 20876
- BOA S-2614 Board of Appeals Case: Holly Eaton, Petitioner, requests a special exception to permit the
OZAH 04-53 operation of an existing accessory apartment on property known as Lot 52, Block 1, Stearman's Subdivision North Takoma, located at 609 Mississippi Avenue, Silver Spring, Maryland, in an R-60 Zone.
- BOA S-2617 Board of Appeals Case: Victor Emeli Jr., Petitioner, requests a special exception to permit the
OZAH 04-55 operation of a residential group home for housing for up to 13 student interns that come to the Montgomery County and Washington D.C. area to gain experience with government and private organizations. The property is known as Lot 2, Block 9, in the Forest Grove Subdivision, located at 1523 Forest Glen Road, Silver Spring, Maryland, in an R-60 Zone.
- BOA S-2622 Board of Appeals Case: Todd D. Brown, Attorney for Terrabrook Clarksburg LLC, Petitioner,
OZAH 05-07 requests a special exception to permit the operation of a child day care facility on property known as Parcel P200, located at 13101 Piedmont Road, Clarksburg, Maryland, in an RDT Zone.
- BOA S-2625 Board of Appeals Case: David W. Brown, attorney for Maryland Vietnamese Mutual
OZAH 05-14 Inc, Petitioner, requests a special exception to permit the operation of private club or service organization on property known as Lot P4, Block C, Cashell Estates Subdivision located at 17101 Overhill Road, Derwood, Maryland in a RE-1 zone.
- BOA S-2628 Board of Appeals Case: Shelton H. Skolnick, attorney for Himalayan Elderly Care II, Inc,
OZAH 05-19 requests a special exception a Group Home on property knows as Lot 3, Block B, Ednor Farms Subdivision, located at 17234 New Hampshire Avenue, Silver Spring, Maryland 20905
- BOA S-2629 Board of Appeals Case: Perry Berman, attorney for Alan and Susan Dechter, Petitioners, requests a
OZAH 05-20 special exception to permit the operation of a Medical practitioner's office for use of other than a resident of the building to permit: 1) Hours of operation Monday to Friday 8 am to 6 pm, Tuesday evenings until 7 pm and Saturday from 8 am to 1 pm; 2) Two full-time dentists practicing in the office; 3) Staff of two dental hygienists, three dental assistants and three office staff; 4) Parking on site within a screened parking facility containing nine spaces. Another four garaged spaces will be available; 5) All medical waste will be picked up once a month and all other waste will be stored in an enclosed space or within the garage area. Except for occasional UPS and FedEx services, there are no other truck deliveries. 6) The office will consist of a waiting room, office space and dental rooms, which will cover 3,309 square feet or 42% of the building. The living quarters of the house will be designed to meet the needs of the handicapped, which will cover 58% of the structure. The property is known as Subdivision HR61, Parcels 911 and 912, located at 12817 Georgia Avenue, Silver Spring, Maryland, 20905 in the R-90 zone.
- BOA S-2631 Board of Appeals Case: Germantown Walter Johnson Property, LLC, Contract Purchaser, request a
OZAH 05-22 special exception pursuant to Section 59-G-2.06 to permit the operation of a Filing Station and Convenience Store on the property known as Tax Parcel 314, Derwood Industrial Park, bordered by E. Gude Drive, Cecil Street, and Derwood Circle, Rockville, in the I-1 Zone
- BOA S-2632 Board of Appeals Case: Tissa Mayarata, Applicant, requests a special exception pursuant to Section
OZAH 05-23 59-G-2.00 (Accessory Apartment) of the Zoning Ordinance to permit an existing accessory apartment on the property knows as Lot 1, Block DD, Aspen Hill Park Section-2 Subdivision, 4701 Aspen Hill Road, Rockville, in the R-60 zone, Tax account # 01298611

- BOA S-2634 Board of Appeals Case: Shanta Ramson, Applicant, requests a special exception pursuant to Section
OZAH 05-25 59-G-2.29 (Major Home Occupation) of the Zoning Ordinance to permit: 1) Operate Law Office; 2) Hours of operation Monday through Friday 8:30 am to 7 pm, and Saturday from 9:00 am to 12 noon. The attorney will schedule clients by appointments for one-half hour slots resulting in 5-10 consultations per day. 3) Employ two non-resident staff members, who will assist in the legal and administrative work; and will be working only during the office hours; 4) Use the existing 14 parking spaces. The office will be part of the living space of the petitioner's home and will occupy less than 33 percent of the total floor of the dwelling unit. The property is known as Lot P1, Block A and is located at 4705 Sandy Spring Road, Burtonsville, MD, Tax account # 160500273774.
- BOA S-2635 Board of Appeals Case: David Freishtat, Attorney for New Covenant Village, LLC, requests a
OZAH 05-29 special exception pursuant to Section 59-G-2.35 (*Housing and related facilities for senior adults*) of the Zoning Ordinance to permit: **1)** Ninety-six apartment homes consisting of approximately 75,500 square feet of rentable area and four stories in height, not to exceed fifty feet; **2)** An additional 8,649 square feet of space for back-of-the-house/support areas and common areas for residents; **3)** Residents, visitors and staff activity to occur during the day and early evening hours; **4)** The number of staff on-site at any particular time of day, and between weekdays and weekends, to vary; **5)** Large distribution truck to arrive only a couple of times each week, and smaller trucks to deliver supplies; **6)** The frequency of trash pickup to be dictated by on-site operations; **7)** The dumpster to be located at the southwest corner of the building, away from the resident apartments; the dumpster to be screened by a board-on-board fence eight feet in height, with twin, six foot swinging gates; **8)** Visitors parking to be provided along the north side of the building; additional parking spaces for employees, residents, and visitors are provided along the west side of the building. The property is located at 18901 Waring Station Road, Germantown, in the RE-1 Zone (Tax Account # 09-03271384)
- BOA S-2636 Board of Appeals Case: Robert Dalrymple and Anne Martin, Attorneys for Fall Creek LLC, request
OZAH 05-27 a special exception pursuant to Section 59-G-2.30 (Landscape Contractor) of the Zoning Ordinance to permit: **1)** One site operations related to off-site delivery of landscape services, mainly to commercial clients; **2)** Seasonal sale of farm produce such as pumpkins and Christmas trees; **3)** Approximately 60 employees after 5 years of operation, and 119 in 15 years. The field staff is expected to reach 80 employees in the first few years of operation and about 120 after 15 years; **4)** Hours of operation from 6 am to 6:30 pm Monday through Friday, with field supervisors and crew arriving between 6 and 6:30 am and most departing by 4 pm. Office staff will normally arrive between 8 and 9 am and depart by 6:30 pm. The production trucks will leave the property by 6:30 am and return by 3:30 pm; **5)** To locate the offices in the historic house; **6)** Additional landscape production facilities: a shop, two pole barns, fuel pump, plant holding areas and storage bins, parking for production trucks, trailers and storage equipment.; **7)** Three parking lots on the south side of the complex to accommodate 165 cars; **8)** Initially 20 trucks, mostly crew-cabs, then to 34 production trucks and 10 supervisors vehicles as per the 15 year plan. A variety of smaller equipment will be stored in the trailers. Equipment used less frequently will be stored in the yard and pole barns. The subject property is located at 23601 Laytonsville Road, Laytonsville, Maryland, 20882, in the RDT Zone
- BOA S-2637 Board of Appeals Case: Stanley Abrams, Attorney for Sturbridge Willowbrooke LLC, requests a
OZAH 05-28 special exception pursuant to Section 59-G-2.35 (*Housing and related facilities for senior adults*) of the Zoning Ordinance to permit: **1)** An independent living condominium for senior adult housing within two four-story buildings each containing 39, two-bedroom units, for a total of 78 units. Each building will contain 32 garage spaces or 64 total garage spaces and surface parking for 53 vehicles for a total of 117 parking spaces. Each building will contain a large community room for residents use and outdoor seating area; **2)** Hours 24/7; **3)** All building and ground services to be provided by the management company hired by the condominium association. The property is known as Tax Parcels P-191, N.108 & N.109 (Tax Maps LS121 & KS161).

BOA S-2638 Board of Appeals Case: Todd Brown, Attorney for Bloom Investments, LLC, requests a special
OZAH 05-32 exception pursuant to Section 59-G-2.19 (Private Educational Institution) of the Zoning Ordinance to permit: **1)** The operation of a non-profit dance instruction institution; **2)** Parking for a maximum of four vehicles on the premises. Additional employee parking, as well as parking for students and other visitors will be accommodated within the public parking garage across the street. **3)** Eighteen young adult students and forty adult students in the various classes; **4)** Hours of operation: 10 am to 9 pm, Monday to Friday and 8 am to 5 pm on Saturday and Sunday; **5)** Thirty employees both full and part-time, with approximately ten employees onsite at any given day for classes and administrative matters; **6)** Use of these premises for other performances arts users for a reasonable fee. Such use would be accommodated during the hours of operation of weekday evenings and or in the daytime on weekends. Class attendance in these activities would be limited to fifteen students on weekdays and fifty on weekends. The property is Lot 26, Block 5, West Chevy Chase Heights Subdivision, located at 4705 West Virginia Avenue, Bethesda, Maryland 20814, in the R-60 Zone (Tax Account Number 0703457071).

BOA S-2639 Board of Appeals Case: Thomas Carroll, Attorney for Korean Community Senior Housing Corp,
OZAH 05-33 requests a special exception pursuant to Section 59-G-2.43 (*Public utility building, public utility structure and telecommunication facility*) of the Zoning Ordinance to permit: The establishment of an unmanned wireless telecommunications facility. The facility will primarily consist of: **(a)** three panel antennas mounted atop the existing building, the proposed panel antennas will measure fifty-four inches long, twelve feet wide and four inches deep; and will be mounted to a metal support pole and concealed within a cylindrical shroud, measuring thirty-six inches in diameter and sixteen feet in height and will be located adjacent to the existing penthouse; **(b)** a 10' X 20' rooftop equipment platform hidden from view by a screen wall seven feet, six inches in height. The platform and its screen wall will be located adjacent to the existing elevator; **(c)** three equipment cabinets on the platform, measuring sixty-three feet high, fifty-one feet wide and thirty-seven feet deep; **(d)** coaxial cables will run from the equipment cabinets up the metal support pole to the antennas, concealed within the shroud.